

Burns Harbor Sanitary Board
Minutes of Wednesday, June 17, 2020

The Burns Harbor Sanitary Board met in its regular session Wednesday, June 17, 2020 in the Town Hall. The meeting was called to order by President Toni Biancardi at 7:02 p.m.

The Pledge of Allegiance was recited.

Roll Call:
Toni Biancardi..... Present
Jim Constantine Present via Microsoft Teams
Rick Balunda..... Absent
Wilbur Oudman..... Present
Daniel Marsh..... Present

A quorum was attained.

Also present were Superintendent William Arney, Attorney Clay Patton of Patton Law, LLC (via Microsoft Teams), Engineer Jeanette Hicks of Global Engineering and Land Surveying, LLC, and Deputy Clerk Corinne Peffers.

There were no audience members in attendance at the Town Hall.

The meeting was made available with Governor Holcomb’s Executive Order 20-04 Section 5 Public Meeting/Open Door Laws. It was streamed on Facebook Live.

Approval of Minutes
Oudman made a motion to approve the Minutes of May 20, 2020. Marsh seconded the motion.
Toni Biancardi – Yes, Jim Constantine – Yes, Rick Balunda – Absent, Wilbur Oudman – Yes, Daniel Marsh – Yes. **Motion passed.**

Correspondence
None.

Sanitary Report
The board reviewed the report. Superintendent Arney presented an inspection proposal from Superior Pumping Services for all six lift stations. This is for the annual inspection. He prefers Superior over Gasvoda because they are readily available.

Oudman made a motion to approve Purchase Order #2764 for \$2,900.00 to Superior Pumping Services. Marsh seconded the motion. Toni Biancardi – Yes, Jim Constantine – Yes, Rick Balunda – Absent, Wilbur Oudman – Yes, Daniel Marsh – Yes. **Motion passed.**

Wastewater Treatment Plant Report
None.

Engineer Report
Hicks gave the board a follow-up on a previous easement issue. There was a fiber optic company that wanted to run optics parallel to our sanitary sewer easement on Rak Rd. The company has since gone with another path. They had a title company search for easements within the area and the found one property with an easement written solely for sanitary sewer use.

Biancardi asked if it would be a best practice to not allow something else within a sanitary sewer easement. Hicks said sanitary easements typically aren’t very big and while they vary in depth, if you have to do maintenance in the future, you may run into problems.

Biancardi asked if the board consensus going forward is to not allow anything within our sanitary sewer easement.

Superintendent Arney said one thing about sanitary pipes and things like that is at some point you are going to have to replace them or dig them up and the more stuff we let in the easement, it becomes problems for us later. So, I definitely would encourage the board and support, if there’s no legal reasons why we can’t, not letting anybody else put into our sewer easements. It’s just going to create headaches for us.

Attorney Patton said one issue he sees is if we don’t own the property, I don’t see how we can control whether other easements come on it. The other consideration would be the other utilities.

If we need an easement where they are at, they are going to object to us coming in to put our sewer lines in.

Constantine said I was under the impression that there is a 10-foot town easement at the front of all the properties.

Attorney Patton said we may have an easement, but that doesn't mean ownership. The property owner could potentially grant another easement to someone else.

Hicks said in this particular case, they wanted to run fiber optic parallel to our line, you may in the future allow them to cross perpendicular. That wouldn't be as big of a maintenance hassle if you have to dig up a line. Hicks asked Clay if a property owner has granted a 10-foot easement for the sole use of sanitary sewer, in that same 10 feet, how can they then say at later time, I am also going to grant it to someone else. That doesn't make logical sense to me. If they did 10-feet over and then granted the use, that makes sense.

Attorney Patton said he would have to read the language on the easement and it all depends on that. It is a case-by-case thing.

Constantine asked how close a contractor can dig by our sewer locate marks and Superintendent Arney said they have to stay five feet away from each side of the markings.

Oudman suggested that going forward, any easements written should say it's for the sole use of sanitary sewer.

Old Business

Superintendent Arney updated the board on Lift Station #2. The Phase Perfect is installed. We are waiting on the generator company to come out to make some adjustments so the backup portable generator will work in the event the stationary backup generator fails. The board discussed the details of the electrical current and its effects. Payment is being held until this is complete.

New Business

Rate Study Proposal from Baker Tilly Municipal Advisors

The proposal from Baker Tilly dated February 19, 2020 is for \$6,800.00. Attorney Patton reviewed the proposal when it came in and he doesn't see any issues with it.

Constantine made a motion to approve the sanitary sewer rate study proposal for \$6,800.00 from Baker Tilly Municipal Advisors. Oudman seconded the motion. Toni Biancardi – Yes, Jim Constantine – Yes, Rick Balunda – Absent, Wilbur Oudman – Yes, Daniel Marsh – Yes. **Motion passed.**

Approval of Claims with three (3) or more signatures

Constantine made a motion to approve the claims with three (3) or more signatures. Marsh seconded the motion. Toni Biancardi – Yes, Jim Constantine – Yes, Rick Balunda – Absent, Wilbur Oudman – Yes, Daniel Marsh – Yes. **Motion passed.**

Spending Review

The board reviewed the report and there were no questions.

Delinquencies

The board reviewed the report and there were no questions. Disconnections are still suspended per the Governor's order.

Flow Report

The board was presented a copy of the report after the meeting. Superintendent Arney reported that the flow meter is running on Lift Station #5.

Good of the Order of the Community & Any Other Business

Oudman said there was a report at Town Council that we are trying a new odor control system. Superintendent Arney said he received some samples from Superior Pumping. They are odor control blocks and have been in for about a week now at Lift Station #2. It just gets dropped in the well and has no adverse chemical effects. I have noticed improvement. They are supposed to last three to six months. I will report back.

Oudman asked if there is a cost going forward. Superintendent Arney has a contact and he will check on the cost.

Announcements

The next meeting will be held at 7 p.m. on Wednesday, July 15, 2020.

Adjourn

Oudman made a motion to adjourn at 7:41 p.m. Constantine seconded the motion. Toni Biancardi – Yes, Jim Constantine – Yes, Rick Balunda – Absent, Wilbur Oudman – Yes, Daniel Marsh – Yes. **Motion passed.**

Submitted by: Corinne Peffers, Secretary

APPROVED July 15, 2020

Toni Biancardi, President

Corinne Peffers, Secretary